

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
25/00077/FUL	Bob Melling	18 March 2025

Address: The Lancashire Fold Public House, 77 Kirkway, Middleton, M24 1EP

Proposal: Erection of pitched roof over existing flat roof to front elevation, replacement front entrance canopy, alterations to car park and extension to existing beer garden including landscaping, feature archways and associated works

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	Y

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	Grant Subject to conditions
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CHECKED AND SIGNED OFF BY: TH DATE: 25.03.2025

SITE

The application relates to The Lancashire Fold Public House on Kirkway, Middleton. The site is located within the Defined Urban Area in a location approximately 0.9km from Middleton Town Centre. The local area is predominantly residential, although there are a variety of small shops and services located within the Mount Road /

Kirkway linear commercial area nearby. The residential dwellings which could reasonably be said to be affected as a result of the proposals are nos. 78-92 and no. 79 Kirkway, and nos. 66-74 and nos 57-59 Mount Road. These are the dwellings which face the front and side elevations of the application establishment. The spacing between the pub and the front elevations of these houses increases from a minimum of 25m. The Lancashire Fold has an existing external seating area which provides seating for outdoor drinking and dining which, whilst functional, it is not currently aesthetically pleasing.

PROPOSAL

Permission is sought for the following works:

- A pitched roof over the existing flat roof to the front elevation
- A pitched roof canopy over the existing front entrance
- Two metal archways over the stepped access from Kirkway and the ramped access from Mount Road
- An extended outdoor seating area to the front of the building bounded by metal loop fence railings

The proposed materials include render and roof tiles to match those used in the exterior of the existing building.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the nine authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-P1 Sustainable Places

Adopted Rochdale Core Strategy (CS):

P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
T2	Improving accessibility
DM1	General development requirements

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

RELEVANT SITE HISTORY

16/00266/FUL – Application for external refurbishment including decking area.
Granted STC May 2016

11/D54409 – Installation of detached canopy to southwest corner of public house.
Refused June 2011

06/D47933 – Installation of planter and covered shelter. Refused April 2007

04/D44566 – Use of land to form beer garden and single storey side extension to pub. Refused January 2005

CONSULTATION RESPONSES

Environmental Health Officer – No objections.

Highways Officer – No objections.

REPRESENTATIONS

Letters of notification were sent to surrounding properties and several site notices displayed around the site on 13/02/2025. One neutral representation was received which raised concerns about the noise from the beer garden and requested that the beer garden closes at 10pm rather than 11pm. This matter was raised under a previous application (ref: 16/00266/FUL) where the Council's Public Protection team agreed to support the application with no conditions attached, advising that potential future noise complaints could be dealt with under the existing regulatory framework. The proposed extension to the outdoor seating area would not be substantial and the Public Protection team have raised no objections to the current proposals. On this basis, it is not considered that it would be reasonable or necessary to condition the closure of the outdoor seating area at 10pm.

ANALYSIS

Design and Visual Amenity

Policies P3 and DM1 of the Council's adopted Core Strategy (CS) require development proposals to adhere to high quality design and enhance the borough's identity and sense of place by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.

In light of the above policy, it is recognised that the proposed works are predominantly 'cosmetic' in nature, and would not result in a significant departure from the current form, scale, and layout of the building. As such, the proposed development would be subservient to the host and would not be considered excessive or overbearing.

Proposed structural changes include a mono-pitched roof over the existing flat roof to the front elevation, a canopy roof over the front entrance, a metal railing fence around the proposed outdoor seating area and two feature archways at the existing pedestrian access points from Mount Road and Kirkway. The mono-pitched roof would be a welcome addition as it would better correspond with the pitched roof form of the host property and surrounding houses than the existing flat roof. The replacement canopy roof over the front entrance would reflect the design of the existing canopy and the proposed metal railings would help add a sense of enclosure to the seating area. The metal archways would be a prominent addition to the street scene, although they would appear traditional in terms of their design and would be appropriate for their context.

No concerns are had with the remaining changes, including the arrangement of festoon lighting, the choice of materials, the use of hardstanding and the arrangement of outdoor furniture / planters.

Overall, it is considered that the proposed works would have a positive benefit on the appearance of the pub and enhance the wider street scene. The current building does not hold any particular visual merit and is in need of refurbishment. As such, the design of the proposal is acceptable and accords with CS policies DM1 and P3, PfE policy JP-P1, the SPD and the NPPF.

Impact on Surrounding Land Uses

CS policy DM1 states that proposals need to demonstrate that they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Additionally, the NPPF advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

The proposals include the extension and enhancement of the existing outdoor seating area to the front of the building. This facility is already established with a current licence which permits the use of the facility to 11.30pm.

The proposals would marginally increase the seating capacity of the outdoor area, but it is considered on balance that the impact of this will be off-set by the addition of the surrounding fence which will ensure that all activities associated with the facility take place within it and do not spill onto the car parking area as at present. It is expected that most of the use of the facility would take place predominantly during the summer months as would be expected, and the siting of the outdoor areas on the roadside ensures the private rear gardens of properties nearby are adequately protected from undue noise. Given this area is presently used as an outdoor seating area and this application proposes to improve this existing area, it is considered that it would be unreasonable to now seek to restrict the use of it through a planning condition to limit the hours of use of the outdoor area. Further, it is considered that any future problems which may arise through the use of this area would be dealt with effectively through the existing regulatory framework.

Overall, the proposal would not unduly impact on the amenity of the occupants of neighbouring properties in accordance with CS policy DM1, PfE, the SPD and the NPPF.

Highways, Access and Parking

The proposed works would have an acceptable impact on the current servicing and parking arrangements and is therefore acceptable in accordance with CS policies T2 and DM1.

RECOMMENDATION

Grant subject to the following conditions

1. The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans:
 - Location Plan And Site Block Plan. Dwg no. 1324 - 01
 - Existing Site Plan. Dwg no. 1324 – 02
 - Existing Elevations. Dwg no. 1324 - 03
 - Proposed Site Plan. Dwg no. 1324 – 04 A

- Proposed Elevations. Dwg no. 1324 – 05
- Existing And Proposed Roof Plan Layouts. Dwg no. 1324 - 06

and the development shall be carried out in accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Report Author Bob Melling